

SEP 27 2011

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISIONU.S. DISTRICT COURT  
WESTERN DISTRICT OF NCIN RE FAMILY DOLLAR  
FLSA LITIGATIONMDL DOCKET NO: 3:08-md-01932-GCM  
Judge Graham C. Mullen

---

Concerning Daniels, et al. v. Family Dollar  
Stores, Inc., Family Dollar Stores of  
Michigan, Inc.  
Michigan Eastern, No. 2:09-cv-14075

---

## ORDER

It is hereby STIPULATED and AGREED, by and between the undersigned, as follows:

1. Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the Complaint in this action is amended, such that originating Plaintiff Macita Daniels' collective action allegations (§216(b)) under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.*, her Michigan Minimum Wage Law of 1964, as amended ("MMWL"), Mich. Comp. Laws § 408.381, *et seq.*, and the class action allegations (Fed. R. Civ. P. 23) based upon the MMWL, are **DISMISSED WITH PREJUDICE**, with each party bearing their own fees and costs, and, going forward, this action shall be limited to Plaintiff Macita Daniels' individual claims arising under the FLSA.

2. Defendant's entry into this Stipulation and [Proposed] Order shall not be construed as a waiver of its opposition to any request by Plaintiff that this action be remanded to the Eastern District of Michigan, Southern Division pursuant to JPML Rule 10.1.

**AGREED**, this 26th day of September, 2011:

s/Andrew P. Bell

Michael A. Galpern, Esq.  
Andrew P. Bell, Esq.  
LOCKS LAW FIRM, LLC  
457 Haddonfield Road, Suite 500

s/ Amy Ramsey

Amy S. Ramsey, Esq.  
John A. Ybarra, Esq.  
Jeremy Stewart, Esq.  
Littler Mendelson PC



Cherry Hill, New Jersey 08002  
Tel: 856-663-8200  
Fax: 856-661-8400  
Email: mgalpern@lockslaw.com  
abell@lockslaw.com

s/ Mitchell S. Cohen

Mitchell S. Cohen, Esq.  
612 Manor Road  
Penn Valley, PA 19072  
Tel: 215-219-4747  
Fax: 610-617-8519  
Email: abrn101@aol.com


*Attorneys for Plaintiffs*

200 North LaSalle Street, Suite 2900  
Chicago, IL 60601-1014  
Tel: 312-372-5520  
Fax: 312-372-7880  
Email: ARamsey@littler.com  
JYbarra@littler.com  
JStewart@littler.com

Gary C. Ankers, Esq.  
Littler Mendelson PC  
200 Renaissance Center  
Detroit, Michigan 48243  
Tel: 313-202-3222  
Fax: 313-446-6405  
Email: GAnkers@littler.com

*Attorneys for Defendants*

SO ORDERED, this 27<sup>th</sup> day of September, 2011.

  
UNITED STATES DISTRICT JUDGE